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CHAMBER ACTION

Senate

House

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Floor: WD/2R  
4/23/2008 5:24 PM

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1 Senator Margolis moved the following **amendment**:

2  
3 **Senate Amendment (with title amendment)**

4 Delete everything after the enacting clause  
5 and insert:

6 Section 1. Paragraph (c) of subsection (19) of section  
7 380.06, Florida Statutes, is amended, and paragraph (v) is added  
8 to subsection (24) of that section, to read:

9 380.06 Developments of regional impact.--

10 (19) SUBSTANTIAL DEVIATIONS.--

11 (c) An extension of the date of buildout of a development,  
12 or any phase thereof, by more than 7 years is presumed to create  
13 a substantial deviation subject to further development-of-  
14 regional-impact review. An extension of the date of buildout, or  
15 any phase thereof, of more than 5 years but not more than 7 years  
16 is presumed not to create a substantial deviation. The extension  
17 of the date of buildout of an areawide development of regional



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18 impact by more than 5 years but less than 10 years is presumed  
19 not to create a substantial deviation. These presumptions may be  
20 rebutted by clear and convincing evidence at the public hearing  
21 held by the local government. An extension of 5 years or less is  
22 not a substantial deviation. For the purpose of calculating when  
23 a buildout or phase date has been exceeded, the time shall be  
24 tolled during the pendency of administrative or judicial  
25 proceedings relating to development permits. Any extension of the  
26 buildout date of a project or a phase thereof shall automatically  
27 extend the commencement date of the project, the termination date  
28 of the development order, the expiration date of the development  
29 of regional impact, and the phases thereof if applicable by a  
30 like period of time. In recognition of the 2007 real estate  
31 market conditions, all development order phase, buildout  
32 commencement, and expiration dates and all related local  
33 government approvals for projects that are developments of  
34 regional impact or Florida Quality Developments and under active  
35 construction on July 1, 2007, or for which a development order  
36 was adopted between January 1, 2006, and July 1, 2007, regardless  
37 of whether or not active construction has commenced, are extended  
38 for 3 years regardless of any prior extension. The 3-year  
39 extension is not a substantial deviation, is not subject to  
40 further development-of-regional-impact review, and may not be  
41 considered when determining whether a subsequent extension is a  
42 substantial deviation under this subsection. This extension also  
43 applies to all associated local government approvals, including,  
44 but not limited to, agreements, certificates, and permits related  
45 to the project.

46 (24) STATUTORY EXEMPTIONS.--



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47       (v) Any development within a county having a population  
48 greater than 1.25 million which is proposed for at least two  
49 uses, one of which is for use as an office or laboratory  
50 appropriate for the research and development of medical  
51 technology, biotechnology, or life science applications, is  
52 exempt from this section if:

53       1. The land is located in a designated urban infill area  
54 or within 5 miles of a state-supported biotechnical research  
55 facility or if a local government having jurisdiction  
56 recognizes, by resolution, that the land is located in a  
57 compact, high intensity, and high-density multiuse area that is  
58 appropriate for intensive growth;

59       2. The land is located within three-fourths of 1 mile  
60 from one or more bus light rail transit stops; and

61       3. The development is registered with the United States  
62 Green Building Council and there is an intent to apply for  
63 certification of each building under the Leadership in Energy  
64 and Environmental Design rating program, or the development is  
65 registered by an alternate green building rating system that a  
66 local government having jurisdiction finds appropriate, by  
67 resolution.

68  
69 If a use is exempt from review as a development of regional  
70 impact under paragraphs (a)-(u) ~~(a)-(t)~~, but will be part of a  
71 larger project that is subject to review as a development of  
72 regional impact, the impact of the exempt use must be included  
73 in the review of the larger project.

74       Section 2. This act shall take effect July 1, 2008.

75  
76 ===== T I T L E   A M E N D M E N T =====



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77 | And the title is amended as follows:

78 |       Delete everything before the enacting clause

79 | and insert:

80 |                               A bill to be entitled

81 |       An act relating to development of regional impact;

82 |       amending s. 380.06, F.S.; revising criteria for extending

83 |       application of certain deadline dates and approvals;

84 |       exempting proposed developments involving medical

85 |       technology, biotechnology, or life sciences which meet

86 |       certain criteria from review as a development of regional

87 |       impact; providing an effective date.